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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6979 OF 2007

Shri Mahendra Davichand Jain
& anr. ... Petitioners

V/s

Shri Mohammed Akhtar Mohd. Fazlu Ansari ... Respondent

Mr. Yogendra M. Pendse for the petitioners.

Mr. C.G.togani for the respondent.

CORAM: SMT. NISHITA MHATRE, J.

DATED: 1ST OCTOBER, 2007.

P.C.:

1. The petitioners are aggrieved by the order passed by the Second Labour Court, Thane, which has allowed the application filed by the petitioners and directed that the execution and implementation of the award in Reference (IDA) No. 256 of 2004 be stayed till the disposal of the application on depositing an amount of Rs.1,00,000/-. The petitioners contend that this amount of Rs.1,00,000/- ought not to have been directed to be deposited by them since they have nothing to do with the business of M/s. Anil Group of Industries. According to the petitioners, they have merely bought over the

place from which M/s. Anil Group of Industries was being run.

2. The order of the Labour Court is modified to the extent that the petitioners shall deposit Rs.50,000/- in the Labour Court within three weeks from today on which condition the execution and implementation of the award qua the petitioners will be stayed.

4. The execution and implementation of the award against other parties to the reference is not stayed.

5. The amount deposited by the petitioners is directed to be invested in a nationalized bank initially for a period of one year, to be renewed thereafter.

6. Writ petition disposed of accordingly.

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